IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WP(C).No. 12667 of 2007(G)

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PETITIONER:

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N.ABDU RAHIMAN, S/O.KUNHIPOCKER,
NABISHANAYIL, KODINHI AMSOM DESOM,
P.O.KODINHI, MALAPPURAM DISTRICT.

BY ADV. SRI.K.K.MOHAMED RAVUF

RESPONDENTS:

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1. THE BRANCH MANAGER, TIRUR CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK, CHEMMAD, MALAPPURAM DISTRICT.

2. THE SPECIAL SALE OFFICER, TIRUR CO-OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD., (M-11) TIRUR, MALAPPURAM DISTRICT.

BY ADV. SHRI.V.G.ARUN, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**C.N.RAMACHANDRAN NAIR, J.**

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**WP(C) No. 12667 of 2007 G**

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**Dated, this the 12th day of April, 2007**

**J U D G M E N T**

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

2. Prayer is only for direction to the respondents to grant OTS benefit to the petitioner. Having regard to the amount involved, petitioner is directed to remit Rs. 35,000/- and file an application for availing OTS benefit within one month from now. On making application for availing OTS benefit along with payment as above, the respondent Bank will grant OTS benefit and provide facility for payment under OTS scheme. If petitioner is entitled to incentives available under OTS scheme, the same should be granted to the petitioner. Recovery will be kept in abeyance for one month from now and if payment as above is made and OTS application filed, recovery will be again stayed until default is committed in making payment under the scheme of OTS granted by the Bank. If default is committed for payment under OTS scheme, then petitioner will forfeit OTS benefit granted by the Bank and in that event Bank will be free to recover the entire arrears.

This WP(C) is disposed of as above.

**(C.N.RAMACHANDRAN NAIR, JUDGE)**

jg